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EXAMINER

BASHORE, WILLIAM L

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 04/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PK

Office Action Summary

Application No.

09/728,250

Applicant(s)

HENDRICKSON ET AL.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: amendment filed 1/22/2002, to the original application filed on 11/30/2001, with petition to make special, granted on 8/8/2001. Pre-amendment and IDS filed on 3/13/2001.
2. The rejection of claims 2, 13, 39, 41, 44, 45 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, has been withdrawn as necessitated by amendment.
3. The rejection of claims 44-46 under 35 U.S.C. 102(a) as being anticipated by Resumes.com web site and ResuMaker online resume creation database, has been withdrawn as necessitated by amendment.
4. The rejection of claims 1-43 under 35 U.S.C. 103(a) as being unpatentable over Resumes.com web site and ResuMaker online resume creation database, has been withdrawn as necessitated by amendment.
5. Claims 1-46 are pending. Claims 1, 12, 23, 34, 38, 44, 45, 46 are independent claims.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Resumes.com web site and ResuMaker online resume creation database, (hereinafter ResuMaker), downloaded from page <url: <http://www.wwwresumes.com>> (last modified December 17, 1999 by Resumes.com), and ResuMaker <url: <http://www.wwwresumes.com/resumaker/index.html>>

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(last modified October 30, 1999 by Resumes.com), both downloaded from Internet on September 21, 2001, screenshots pp. 1-21, in view of Microsoft Word 2000 (hereinafter MS-Word), 1999 Microsoft Corporation, application screenshots pp. 1-18.

In regard to independent claim 1, ResuMaker teaches:

- an interactive, dynamically guided online resume creation system utilizing form input, and a Preview Button for previewing a resume, with the option of further modifying said resume at a user's convenience, as well as a database (ResuMaker page 1 at top right "Custom online Resume Database", also paragraph 4, also page 8 "The Preview Page", page 9 "Preview Button, see also page 7, 12; compare with claim 1 "*A method for allowing a user to dynamically change....comprising the steps of:*").

- a plurality of layout styles, and header Layouts for user selection, including positions within a resume's body (ResuMaker page 10, 11 "Resume Body Layout", also page 14 "Header Layouts"), as well as teaching layout styles (i.e. Aligned left, Partial Hierarchical, etc.) (ResuMaker page 10-11). ResuMaker does not specifically disclose each resume style defining formatting parameters for the entire online resume, including margins, font type/size, justifications, with each style having an associated style sheet including positions of fields of data. However, MS-Word teaches various resume templates (MS-Word p.2 – "Contemporary", "Elegant", and "Professional"). It is noted that activation of each style results in both a preview and a default editable document based upon each style template, with specific formatting parameters (margins, font type/size, justifications) specific to each style, as applied to a specific resume in its entirety (MS-Word p.2-9). Additionally, MS-Word teaches a default document based upon its associated template which describes a specific resume style, including directions to click on various resume positions to type relevant information (MS-Word p.3-5, 7-9). This can also be achieved via Resume Wizard – a style and type of resume is chosen, personal data is entered, and a customized resume is displayed (MS-Word p. 13-18) (compare with claim 1 "*displaying a plurality of resume styles for user selection...style of fields of data from the database*"). It would have been obvious to one of

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ordinary skill in the art at the time of the invention to apply MS-Word to ResuMaker, providing a user of ResuMaker the convenience of comparing and selecting pre-configured resume styles, as well as providing specific positions for input of data onto said resume.

- collecting data from a user via form input and bullet check marks (ResuMaker page 10-12; compare with claim 1 “*collecting data from a user*”, and “*prompting the user to select one resume style from a plurality of resume styles*”).

- the steps within the ResuMaker creation process eventually results in a final previewed customized resume file, including a user’s personal and layout information, to be purchased and posted on the Resumes.com server. (ResuMaker pages 7-19 (especially page 19); compare with claim 1 “*automatically creating a file from the user data*”, and “*Applying the style sheet....transforming the file into a resume file formatted in the selected resume style*”). ResuMaker also discloses a resume preview, as well as creation/purchase of a PDF file of a user’s online resume for printing purposes (ResuMaker page 4, at middle, also page 18, 19; compare with claim 1 “*viewable online and printable*”).

In regard to dependent claim 2, ResuMaker teaches dynamically repeating the above steps until a final resume is completed (ResuMaker page 7, last sentence of paragraph 2; compare with claim 2).

In regard to dependent claim 3, ResuMaker teaches storage of a resume, including the entered form input information, into a database (ResuMaker page 1 at top right “Custom online Resume Database”, also paragraph 4; compare with claim 3).

In regard to dependent claims 4-7, ResuMaker teaches a user editable resume, as well as a resume preview mode for displaying a resume, and said resume created as an HTML document using Netscape stored online via a URL (ResuMaker page 5, 12, 18; compare with claims 4-7).

In regard to dependent claim 8, ResuMaker teaches a resume created and formatted in HTML viewed by Netscape (ResuMaker page 18; compare with claim 8).

In regard to dependent claims 9-10, ResuMaker does not specifically teach XML and XSL. However, these limitations would have been obvious to one of ordinary skill in the art at the time of the invention, in view of ResuMaker, because of ResuMaker's teaching of HTML, as well as JavaScript suggests the use of XML and XSL, providing the advantage of an alternate method of creating online resumes (ResuMaker page 1; compare with claims 9-10).

In regard to dependent claim 11, ResuMaker teaches user selection of a resume layout type, as well as a header style, with a displayed order (i.e. layout style, then header layout placement at top of page, etc.) (ResuMaker page 10, 14; compare with claim 11).

In regard to independent claim 12, ResuMaker teaches:

- an interactive, dynamically guided online resume creation system utilizing form input, and a Preview Button for previewing a resume, with the option of further modifying said resume at a user's convenience, as well as a database (ResuMaker page 1 at top right "Custom online Resume Database", also paragraph 4, also page 8 "The Preview Page", page 9 "Preview Button, see also page 7, 12; compare with claim 12 "*A computer readable medium for allowing a user to dynamically change....comprising the steps of:*").

- a plurality of layout styles, and header Layouts for user selection, including positions within a resume's body (ResuMaker page 10, 11 "Resume Body Layout", also page 14 "Header Layouts"), as well as teaching layout styles (i.e. Aligned left, Partial Hierarchical, etc.) (ResuMaker page 10-11).

ResuMaker does not specifically disclose each resume style defining formatting parameters for the entire

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online resume, including margins, font type/size, justifications, with each style having an associated style sheet including positions of fields of data. However, MS-Word teaches various resume templates (MS-Word p.2 – “Contemporary”, “Elegant”, and “Professional”). It is noted that activation of each style results in both a preview and a default editable document based upon each style template, with specific formatting parameters (margins, font type/size, justifications) specific to each style, as applied to a specific resume in its entirety (MS-Word p.2-9). Additionally, MS-Word teaches a default document based upon its associated template which describes a specific resume style, including directions to click on various resume positions to type relevant information (MS-Word p.3-5, 7-9). This can also be achieved via Resume Wizard – a style and type of resume is chosen, personal data is entered, and a customized resume is displayed (MS-Word p. 13-18) (compare with claim 12 “*displaying a plurality of resume styles for user selection...style of fields of data from the database*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply MS-Word to ResuMaker, providing a user of ResuMaker the convenience of comparing and selecting pre-configured resume styles, as well as providing specific positions for input of data onto said resume.

- collecting data from a user via form input and bullet check marks (ResuMaker page 10-12; compare with claim 12 “*collecting data from a user*”, and “*prompting the user to select one resume style from a plurality of resume styles*”).

- the steps within the ResuMaker creation process eventually results in a final previewed customized resume file, including a user’s personal and layout information, to be purchased and posted on the Resumes.com server. (ResuMaker pages 7-19 (especially page 19); compare with claim 12 “*automatically creating a file from the user data*”, and “*Applying the style sheet....transforming the file into a resume file formatted in the selected resume style*”). ResuMaker also discloses a resume preview, as well as creation/purchase of a PDF file of a user’s online resume for printing purposes (ResuMaker page 4, at middle, also page 18, 19; compare with claim 12 “*viewable online and printable*”).

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In regard to dependent claims 13-22, claims 13-22 reflect the computer readable medium comprising the computer readable methods for performing the steps as claimed in claims 2-11, respectively, and are rejected along the same rationale.

In regard to independent claim 23, ResuMaker teaches:

- an interactive, dynamically guided online resume creation system utilizing form input, and a Preview Button for previewing a resume, with the option of further modifying said resume at a user's convenience, as well as a database (ResuMaker page 1 at top right "Custom online Resume Database", also paragraph 4, also page 8 "The Preview Page", page 9 "Preview Button, see also page 7, 12; compare with claim 23 "*A system for allowing a user to dynamically change....comprising the steps of:*").

- a plurality of layout styles, and header Layouts for user selection, including positions within a resume's body (ResuMaker page 10, 11 "Resume Body Layout", also page 14 "Header Layouts"), as well as teaching layout styles (i.e. Aligned left, Partial Hierarchical, etc.) (ResuMaker page 10-11). ResuMaker does not specifically disclose each resume style defining formatting parameters for the entire online resume, including margins, font type/size, justifications, with each style having an associated style sheet including positions of fields of data. However, MS-Word teaches various resume templates (MS-Word p.2 – "Contemporary", "Elegant", and "Professional"). It is noted that activation of each style results in both a preview and a default editable document based upon each style template, with specific formatting parameters (margins, font type/size, justifications) specific to each style, as applied to a specific resume in its entirety (MS-Word p.2-9). Additionally, MS-Word teaches a default document based upon its associated template which describes a specific resume style, including directions to click on various resume positions to type relevant information (MS-Word p.3-5, 7-9). This can also be achieved via Resume Wizard – a style and type of resume is chosen, personal data is entered, and a customized resume is displayed (MS-Word p. 13-18) (compare with claim 23 "*a plurality of style sheets for describing...font size, and text justification*"). It would have been obvious to one of ordinary skill in the

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art at the time of the invention to apply MS-Word to ResuMaker, providing a user of ResuMaker the convenience of comparing and selecting pre-configured resume styles, as well as providing specific positions for input of data onto said resume.

- collecting data from a user via form input and bullet check marks (ResuMaker page 10-12; compare with claim 23 *"a user interface for collecting information from a user, and for allowing the user to select a resume style from a plurality of resume styles"*).

- the steps within the ResuMaker creation process eventually results in a final previewed customized resume file, including a user's personal and layout information, to be purchased and posted on the Resumes.com server. (ResuMaker pages 7-19 (especially page 19); compare with claim 23 *"means for automatically creating a file from the user data"*, and *"means for transforming the file into a resume file by applying the style sheet....to the file"*).

In regard to dependent claims 24-33, claims 24-33 reflect the system comprising computer readable methods for performing the steps as claimed in claims 2-11, respectively, and are rejected along the same rationale.

In regard to independent claim 34, ResuMaker teaches:

- an interactive, dynamically guided online resume creation system utilizing form input, and a Preview Button for previewing a resume, with the option of further modifying said resume at a user's convenience, as well as a database (ResuMaker page 1 at top right *"Custom online Resume Database"*, also paragraph 4, also page 8 *"The Preview Page"*, page 9 *"Preview Button, see also page 7, 12"*; compare with claim 34 *"A method for automatically providing delimiters....comprising the steps of:"*).

- a plurality of layout styles, and header Layouts for user selection, including positions within a resume's body (ResuMaker page 10, 11 *"Resume Body Layout"*, also page 14 *"Header Layouts"*), as well as teaching layout styles (i.e. Aligned left, Partial Hierarchical, etc.) (ResuMaker page 10-11).

ResuMaker does not specifically disclose each resume style defining formatting parameters for the entire online resume, including margins, font type/size, justifications, with each style having an associated style sheet including positions of fields of data. However, MS-Word teaches various resume templates (MS-Word p.2 – “Contemporary”, “Elegant”, and “Professional”). It is noted that activation of each style results in both a preview and a default editable document based upon each style template, with specific formatting parameters (margins, font type/size, justifications) specific to each style, as applied to a specific resume in its entirety (MS-Word p.2-9). Additionally, MS-Word teaches a default document based upon its associated template which describes a specific resume style, including directions to click on various resume positions to type relevant information (MS-Word p.3-5, 7-9). This can also be achieved via Resume Wizard – a style and type of resume is chosen, personal data is entered, and a customized resume is displayed (MS-Word p. 13-18) (compare with claim 34 “*providing a plurality of style sheets....font size, and text justification*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply MS-Word to ResuMaker, providing a user of ResuMaker the convenience of comparing and selecting pre-configured resume styles, as well as providing specific positions for input of data onto said resume.

- collecting data from a user via form input and bullet check marks (ResuMaker page 10-12; compare with claim 34 “*prompting the user to enter data into the plurality of fields*”).

- the use of case statement code for use as a decision statement in computer programs reflects a well known computer data structure within high level languages in the software art (compare with claim 34 “*case statement code*”).

- ResuMaker does not specifically teach assigning numerical values to each field, and summing said values for determining field positions. However, these limitations would have been obvious to one of ordinary skill in the art at the time of the invention, in view of ResuMaker, because ResuMaker teaches various body layout styles. The preservation of customized appearances (of user data) in a resume suggests quantification of format data (i.e. number of indentations) by the system itself. Since case

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statement code (case statements) are well known decision data structures, it is also known that case statements rely upon numbers (i.e. enumerated variables) in the decision process, providing the advantage of a reliable code method of preserving customized layout appearances. (ResuMaker page 10-11 “Aligned Left, “Partial Hierarchical”, and “Complete Hierarchical”; compare with claim 34 “*assigning a numerical value....in the database*”, and “*determining the sum....where the delimiters are placed relative to the fields.*”).

In regard to dependent claim 35, claim 35 incorporates substantially similar subject matter as claimed in claim 34, and is rejected along the same rationale.

In regard to dependent claims 36-37, ResuMaker does not specifically teach XML. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of ResuMaker, because of ResuMaker’s teaching of HTML, as well as JavaScript suggesting the use of XML, providing the advantage of an alternate method of creating online resumes. ResuMaker also teaches a resume as a viewable HTML web page (ResuMaker page 1, 18; compare with claims 36-37).

In regard to independent claim 38, ResuMaker teaches:

- an interactive, dynamically guided online resume creation system utilizing form input, and a Preview Button for previewing a resume, with the option of further modifying said resume at a user’s convenience, as well as a database (ResuMaker page 1 at top right “Custom online Resume Database”, also paragraph 4, also page 8 “The Preview Page”, page 9 “Preview Button, see also page 7, 12; compare with claim 38 “*A method for allowing a user to dynamically change....comprising the steps of:*”).

- a plurality of layout styles, and header Layouts for user selection, including positions within a resume’s body (ResuMaker page 10, 11 “Resume Body Layout”, also page 14 “Header Layouts”), as well as teaching layout styles (i.e. Aligned left, Partial Hierarchical, etc.) (ResuMaker page 10-11).

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ResuMaker does not specifically disclose each resume style defining formatting parameters for the entire online resume, including margins, font type/size, justifications, with each style having an associated style sheet including positions of fields of data. However, MS-Word teaches various resume templates (MS-Word p.2 – “Contemporary”, “Elegant”, and “Professional”). It is noted that activation of each style results in both a preview and a default editable document based upon each style template, with specific formatting parameters (margins, font type/size, justifications) specific to each style, as applied to a specific resume in its entirety (MS-Word p.2-9). Additionally, MS-Word teaches a default document based upon its associated template which describes a specific resume style, including directions to click on various resume positions to type relevant information (MS-Word p.3-5, 7-9). This can also be achieved via Resume Wizard – a style and type of resume is chosen, personal data is entered, and a customized resume is displayed (MS-Word p. 13-18) (compare with claim 38 “*displaying a plurality of resume styles for user selection...style of fields of data from the database*”, and “*corresponding to the plurality of formatting parameters*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply MS-Word to ResuMaker, providing a user of ResuMaker the convenience of comparing and selecting pre-configured resume styles, as well as providing specific positions for input of data onto said resume.

- collecting data from a user via form input and bullet check marks (ResuMaker page 10-12; compare with claim 38 “*collecting data from a user*”, and “*prompting the user to select one resume style from a plurality of resume styles*”).

- a resume style along with custom settings (i.e. font selection, color, etc.) (ResuMaker page 10, 13; compare with claim 38 “*having a plurality of custom settings*”).

- the steps within the ResuMaker creation process eventually results in a final previewed customized resume file, including a user’s personal and layout information, to be purchased and posted on the Resumes.com server. (ResuMaker pages 7-19 (especially page 19); compare with claim 23

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“automatically creating a file from the user data....custom settings”, and “applying the style sheet....into a resume file”).

- a resume preview, as well as creation/purchase of a PDF file of a user’s online resume for printing purposes (ResuMaker page 4, at middle, also page 18, 19; compare with claim 38 *“viewable online and printable”*).

In regard to dependent claim 39, 40, ResuMaker teaches a plurality of editable resume sections, to which appearances can be user modified (ResuMaker page 10-17; compare with claim 39).

ResuMaker also teaches variable line spacing in input fields of resume sections (ResuMaker page 16-17; compare with claim 40).

In regard to dependent claim 41, 42, 43, ResuMaker teaches dynamically changing a resume (ResuMaker page 7 paragraph 2; compare with claim 41), as well as storage of a resume, including the entered form input information, into a database (ResuMaker page 1 at top right “Custom online Resume Database”, also paragraph 4; compare with claim 42), and said resume created as an HTML document using Netscape stored online via a URL (ResuMaker page 5, 12, 18; compare with claim 43).

In regard to independent claim 44, ResuMaker teaches:

- an interactive, dynamically guided online resume creation system utilizing form input, and a Preview Button for previewing a resume, with the option of further modifying said resume at a user’s convenience (ResuMaker page 8 “The Preview Page”, page 9 “Preview Button, see also page 7, 12; compare with claim 44 *“A method for allowing a user to dynamically change....comprising the steps of:”*).

a plurality of layout styles, and header Layouts for user selection, including positions within a resume’s body (ResuMaker page 10, 11 “Resume Body Layout”, also page 14 “Header Layouts”), as well as teaching layout styles (i.e. Aligned left, Partial Hierarchical, etc.) (ResuMaker page 10-11).

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ResuMaker does not specifically disclose each resume style defining formatting parameters for the entire online resume, including margins, font type/size, justifications, with each style having an associated style sheet including positions of fields of data. However, MS-Word teaches various resume templates (MS-Word p.2 – “Contemporary”, “Elegant”, and “Professional”). It is noted that activation of each style results in both a preview and a default editable document based upon each style template, with specific formatting parameters (margins, font type/size, justifications) specific to each style, as applied to a specific resume in its entirety (MS-Word p.2-9). Additionally, MS-Word teaches a default document based upon its associated template which describes a specific resume style, including directions to click on various resume positions to type relevant information (MS-Word p.3-5, 7-9). This can also be achieved via Resume Wizard – a style and type of resume is chosen, personal data is entered, and a customized resume is displayed (MS-Word p. 13-18) (compare with claim 44 “*displaying a plurality of resume styles for user selection. ...font size, and text justification*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply MS-Word to ResuMaker, providing a user of ResuMaker the convenience of comparing and selecting pre-configured resume styles, as well as providing specific positions for input of data onto said resume.

- collecting data from a user via form input and bullet check marks (ResuMaker page 10-12; compare with claim 44 “*collecting data from a user*”, and “*prompting the user to select one resume style from a plurality of resume styles*”).

- the steps within the ResuMaker creation process eventually results in a final previewed customized resume file, including a user’s personal and layout information, to be purchased and posted on the Resumes.com server. (ResuMaker pages 7-19 (especially page 19); compare with claim 44 “*automatically creating a file from the user data*”, and “*transforming the file into a resume file formatted in the selected resume style*”). ResuMaker also discloses a resume preview, as well as creation/purchase of a PDF file of a user’s online resume for printing purposes (ResuMaker page 4, at middle, also page 18, 19; compare with claim 44 “*viewable online and printable*”).

Dynamically repeating the above steps until a final resume is completed (ResuMaker page 7, last sentence of paragraph 2; compare with claim 44 *"repeating steps....styles to the resume file"*).

In regard to independent claim 45, ResuMaker discloses:

- an interactive, dynamically guided online resume creation system utilizing form input, and a Preview Button for previewing a resume, with the option of further modifying said resume at a user's convenience (ResuMaker page 8 "The Preview Page", page 9 "Preview Button, see also page 7, 12; compare with claim 45 *"A computer readable medium for allowing a user to dynamically change....comprising the steps of:"*).

- a plurality of layout styles, and header Layouts for user selection, including positions within a resume's body (ResuMaker page 10, 11 "Resume Body Layout", also page 14 "Header Layouts"), as well as teaching layout styles (i.e. Aligned left, Partial Hierarchical, etc.) (ResuMaker page 10-11). ResuMaker does not specifically disclose each resume style defining formatting parameters for the entire online resume, including margins, font type/size, justifications, with each style having an associated style sheet including positions of fields of data. However, MS-Word teaches various resume templates (MS-Word p.2 – "Contemporary", "Elegant", and "Professional"). It is noted that activation of each style results in both a preview and a default editable document based upon each style template, with specific formatting parameters (margins, font type/size, justifications) specific to each style, as applied to a specific resume in its entirety (MS-Word p.2-9). Additionally, MS-Word teaches a default document based upon its associated template which describes a specific resume style, including directions to click on various resume positions to type relevant information (MS-Word p.3-5, 7-9). This can also be achieved via Resume Wizard – a style and type of resume is chosen, personal data is entered, and a customized resume is displayed (MS-Word p. 13-18) (compare with claim 45 *"displaying a plurality of resume styles for user selection....font size, and text justification"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply MS-Word to ResuMaker, providing a user of ResuMaker

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the convenience of comparing and selecting pre-configured resume styles, as well as providing specific positions for input of data onto said resume.

- collecting data from a user via form input and bullet check marks (ResuMaker page 10-12; compare with claim 45 “collecting data from a user”, and “prompting the user to select one resume style from a plurality of resume styles”).

- the steps within the ResuMaker creation process eventually results in a final previewed customized resume file, including a user’s personal and layout information, to be purchased and posted on the Resumes.com server. (ResuMaker pages 7-19 (especially page 19); compare with claim 45 “automatically creating a file from the user data”, and “transforming the file into a resume file formatted in the selected resume style”). ResuMaker also discloses a resume preview, as well as creation/purchase of a PDF file of a user’s online resume for printing purposes (ResuMaker page 4, at middle, also page 18, 19; compare with claim 44 “viewable online and printable”).

Dynamically repeating the above steps until a final resume is completed (ResuMaker page 7, last sentence of paragraph 2; compare with claim 45 “repeating steps....styles to the resume file”).

In regard to independent claim 46, ResuMaker discloses:

- an interactive, dynamically guided online resume creation system utilizing form input, and a Preview Button for previewing a resume, with the option of further modifying said resume at a user’s convenience (ResuMaker page 8 “The Preview Page”, page 9 “Preview Button, see also page 7, 12; compare with claim 46 “A system for allowing a user to dynamically change....comprising the steps of:”).

a plurality of layout styles, and header Layouts for user selection of a resume’s body, as well as collecting data from a user via form input and bullet check marks (ResuMaker page 10, 11 “Resume Body Layout”, also page 14 “Header Layouts”), as well as teaching layout styles (i.e. Aligned left, Partial Hierarchical, etc.) (ResuMaker page 10-11). ResuMaker does not specifically disclose each resume style defining formatting parameters for the entire online resume, including margins, font type/size,

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justifications, with each style having an associated style sheet including positions of fields of data.

However, MS-Word teaches various resume templates (MS-Word p.2 – “Contemporary”, “Elegant”, and “Professional”). It is noted that activation of each style results in both a preview and a default editable document based upon each style template, with specific formatting parameters (margins, font type/size, justifications) specific to each style, as applied to a specific resume in its entirety (MS-Word p.2-9).

Additionally, MS-Word teaches a default document based upon its associated template which describes a specific resume style, including directions to click on various resume positions to type relevant information (MS-Word p.3-5, 7-9). This can also be achieved via Resume Wizard – a style and type of resume is chosen, personal data is entered, and a customized resume is displayed (MS-Word p. 13-18) (compare with claim 46 “a user interface for collecting information from a user. ...*font size, and text justification*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply MS-Word to ResuMaker, providing a user of ResuMaker the convenience of comparing and selecting pre-configured resume styles, as well as providing specific positions for input of data onto said resume.

- the steps within the ResuMaker creation process eventually results in a final previewed customized resume file, including a user’s personal and layout information, to be purchased and posted on the Resumes.com server. (ResuMaker pages 7-19 (especially page 19); compare with claim 46 “*means for automatically creating a file from the user data*”, and “*means transforming the file into a resume file formatter in the user selected resume style*”).

- Dynamically repeating the above steps until a final resume is completed (ResuMaker page 7, last sentence of paragraph 2; compare with claim 46 “*means for allowing the user to reselect resume styles to the resume file*”).

8. Prior art made of record and not relied upon is considered pertinent to disclosure.

| | | | |
|-------------------|---------------------------|--------|---------|
| Eisendrath et al. | U.S. Patent No. 6,347,333 | issued | 02/2001 |
| Ikeo et al. | U.S. Patent No. 5,566,289 | issued | 10/1996 |
| Ross et al. | U.S. Patent No. 6,026,417 | issued | 02/2000 |

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Managing the Microsoft Office Windows Installer from Microsoft Office 2000 Solutions, Microsoft Corporation, April 1999, downloaded from url:
<<http://msdn.microsoft.com/library/default.asp?url=/library/en-us/dno2kta/html/wininstaller.asp>>
downloaded on April 18, 2002, pp.1-11.

Response to Arguments

9. Applicant's arguments with respect to amended claim limitations have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 1/22/2002 regarding unamended claim limitations have been fully and carefully considered but they are not persuasive.

Applicant's arguments regarding amended limitations (in particular, selecting a resume style associated with a specific set of parameters, layout/font selection etc.) are taught by newly cited reference Microsoft Word 2000 (MS-Word). It is to be noted that page 6 (at bottom), and page 8 (at top) of the Microsoft article dated April 1999 (see paragraph 8, above) references the various resume templates used in Office (Word) 2000.

Applicant argues on pages 12-13 of the amendment that ResuMaker does not specifically teach numerical delimiters, or assigning a numerical value to each field, as well as case state casement codes in association with a sum value, etc. In additional support of the above rejections, the Examiner notes that ResuMaker's final layout processing is accomplished subsequent to user input of personal information via input boxes (ResuMaker p.12, 14). In order to correctly position user's information in a final resume, an index record of each field must be maintained, sorted, and presented, so as to provide conformity to a layout style chosen by said user ("Basic Header" or "Occupation Header", etc.). Since case statements (used within switch statement code), as well as case constants (or enumerated variables) are all well known data structures used for multiple branch decisions, the use of such for sorting input field data to adhere to a layout style would have been obvious to one of ordinary skill in the art at the time of the invention. Additionally, it is to be noted that ResuMaker ignores input fields left blank. In other words,

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page 12 of ResuMaker shows blank fields for Pager Number and Fax Number, therefore, only the sum accumulation of non-blank fields entries are processed and shown on the final layout (ResuMaker page 18).

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bashore whose telephone number is (703) 308-5807. The examiner can normally be reached on Monday through Friday from 11:30 AM to 8:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

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12. **Any response to this action should be mailed to:**
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:


(703) 746-7240 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

or:

(703) 746-7238 (for after-final communications)

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Fourth Floor (Receptionist).**

William L. Bashore
04/18/2002


STEPHEN S. HONG
PRIMARY EXAMINER